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**State of Arizona
Board of Psychologist
Examiners**

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Staff

Dr. Cindy Olvey
Executive Director
Lynanne Chapman
Deputy Director
Heather Duracinski
Licensing Coordinator

REGULAR SESSION MINUTES

May 2, 2014, 8:30 a.m.

Arizona State Capitol – Executive Tower
1700 W. Washington St.
3rd Floor Conference Room
Phoenix, AZ 85007

1. CALL TO ORDER

The regular session of the Arizona State Board of Psychologist Examiners was called to order by Chairman Bohanske at 8:30 a.m. on May 2, 2014. No Executive Sessions were held.

2. ROLL CALL

Board Members Present

Bob Bohanske, Ph.D., – Chair
John P. DiBacco, Ph.D., – Vice – Chair
Joseph C. Donaldson – Secretary
Paul Beljan, Psy.D., ABPdN, ABN
Ramona N. Mellott, Ph.D
Rob Robichaud
Tamara Shreeve, MPA
Frederick S. Wechsler, Ph.D., Psy.D., ABPP

Staff Present

Cindy Olvey, Psy.D., Executive Director
Lynanne Chapman, Deputy Director
Heather Duracinski, Licensing Coordinator

Attorney General’s Office

Jeanne Galvin, Esq.

Board Members Absent

Janice K. Brundage, Ph.D.

3. REMARKS/ANNOUNCEMENTS

CE Documentation – Dr. Bohanske announced that licensees could receive CE credits in Ethics for attendance at Board meetings and explained how to obtain credit.

Board Assessment Forms – Dr. Bohanske encouraged members of the audience to complete a Board Meeting Assessment Survey and place them in the survey box.

Introduction of Lynanne Chapman, Deputy Director – Dr. Olvey introduced the Board’s new Deputy Director, Lynanne Chapman. Dr. Olvey provided a summary of Ms. Chapman’s work history and credentials. Board members welcomed Ms. Chapman.

Remarks, Board Member and Staff Appreciation –Dr. Bohanske thanked Board members and Staff for their dedication and hard work.

4. CALL TO THE PUBLIC

Dr. Bohanske invited the public to address the Board at this time.

Daniel Schulte, Ph.D. requested to speak and introduced himself as the President of the Arizona Psychological Association (AzPA). Dr. Schulte reported on several events AzPA will be sponsoring in Tucson, Flagstaff and Phoenix.

5. COUNSEL REPORT

Ms. Galvin reported that an Evidentiary Hearing for the appeal filed by Anthony Luick, Ph.D., is scheduled for May 21, 2014, in Pima County Superior Court. Ms. Galvin stated that she will keep the Board apprised as the case progresses.

6. CONSENT AGENDA - DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION

Dr. DiBacco requested a correction be made to the February 7, 2014, Regular Session Minutes. Dr. DiBacco made a motion, seconded by Dr. Beljan, to approve the following items on the Consent Agenda. Mr. Donaldson, Mr. Robichaud and Ms. Shreeve abstained from the February 7, 2014, Regular and Executive Session Minutes, Dr. Mellott abstained from the March 7, 2014, and April 4, 2014, Regular Session Minutes and Dr. Wechsler abstained from the January 31, 2014 and March 7, 2014, Regular Session Minutes. The motion carried with the above-mentioned abstentions.

(a) APPROVAL OF MINUTES

- January 31, 2014, Regular Session Minutes (Dr. Wechsler abstained)
- February 7, 2014, Regular Session Minutes (Mr. Donaldson, Mr. Robichaud, Ms. Shreeve abstained)
- February 7, 2014, Executive Session Minutes (9:42 a.m. -9:57 a.m.) (Mr. Donaldson, Mr. Robichaud, Ms. Shreeve abstained)
- February 7, 2014, Executive Session Minutes (3:01 p.m. -3:14 p.m.) (Mr. Donaldson, Mr. Robichaud, Ms. Shreeve abstained)
- March 7, 2014, Regular Session Minutes (Dr. Mellott and Dr. Wechsler abstained)
- April 4, 2014, Regular Session Minutes (Dr. Mellott abstained)

(b) DISCUSSION/DECISION REGARDING PSYCHOLOGY APPLICATIONS

i. REQUESTING APPROVAL FOR EXAM ONLY

- Haley Oliver, Psy.D.

ii. REQUESTING APPROVAL FOR EXAM AND LICENSURE

- Gustavo Franza, Psy.D.
- Stephen Holwerda, Psy.D.
- Melissa Huie, Psy.D.
- Amber LaBelle, Psy.D.
- Megan Orcutt, Psy.D.
- Jessica Promisson, Psy.D.
- Nicole Robello, Psy.D.
- Thelia Robinson, Psy.D.
- Jenny Siddiqi, Psy.D.
- Anna Torrey, Ph.D.
- LaShelle Zellner, Psy.D.

iii. REQUESTING APPROVAL FOR LICENSURE BY WAIVER

- Isabell Nino-De-Guzman, Ph.D.
- Rick Webster, Psy.D.

vi. REQUESTING APPROVAL FOR LICENSURE BY CREDENTIAL

- Holly Teitsma, Ph.D.
- Jack Teitsma, Psy.D.

(c) DISCUSSION/DECISION REGARDING BEHAVIOR ANALYST APPLICATIONS

- Katrien Filez, MS
- Kaycee Kienast, M.Ed.
- Rebecca Watson, M.S.
- Renée Wozniak, Ph.D.

(d) DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING APPLICATION FOR LICENSURE FROM STUART FRIEDMAN, PSY.D.

(e) EXECUTIVE DIRECTOR'S REPORT

(f) INVESTIGATIONS REPORT

(g) LICENSING REPORT

7) DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION REGARDING DEMONSTRATION BY REPRESENTATIVES OF THE ASSOCIATION OF STATE AND PROVINCIAL PSYCHOLOGY BOARDS (ASPPB) OF THE ONLINE UNIVERSAL APPLICATION (PLUS) USED BY SOME PSYCHOLOGY BOARDS IN THE UNITED STATES

Dr. Bohanske introduced Joseph Rallo, Ph.D., Director of Psychology Licensure Universal System (PLUS), and Janet Pippin Orwig, Associate Executive Officer Member Services, staff members of ASPPB. Dr. Bohanske stated that Dr. Rallo and Ms. Orwig will be giving a presentation on PLUS.

Dr. Rallo went over the history of developing the PLUS system. He explained that the purpose of the PLUS system is to make the application process easier for individuals who wish to become licensed in multiple jurisdictions. Dr. Rallo further explained that ASPPB will store an individual's application permanently and that ASPPB primary source verifies all information pertaining to the application therefore the individual will not have to request new verification forms, transcripts, etc. for each jurisdiction. He explained the online application process and benefits for individuals who wish to utilize the plus system such as students can open a credential bank at no charge and there is no charge to apply for a Certificate of Professional Qualification for individuals who utilized the PLUS system. Additionally, Dr. Rallo stated that the PLUS system is currently being utilized in six jurisdictions and two additional jurisdictions will be utilizing the PLUS system in the near future. He stated that through the PLUS system ASPPB does not make a determination as to whether an individual is eligible for licensure in any jurisdiction. Rather ASPPB is collecting, conducting primary source verification and permanently storing the individual's information. Dr. Rallo further stated that each jurisdiction is different and that ASPPB will individualize a jurisdictions' application.

Board members asked how an individual's information is kept confidential. Ms. Orwig stated that a jurisdiction can access the online PLUS system and that the system is a secure database. Additionally, Ms. Orwig stated that when an application is complete the jurisdiction can request how the application be transmitted to the Board. Ms. Orwig stated that ASPPB is always working to make the PLUS system more secure. Ms. Orwig stated that ASPPB is willing to work with jurisdictions on security and encryption. Board members deliberated and determined that it will be beneficial to explore the PLUS system further. Dr. DiBacco made a motion, seconded by Dr. Mellott, to direct Dr. Olvey to further explore the PLUS system. The motion carried 8-0.

8) DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION REGARDING CORRESPONDENCE RECEIVED FROM DR. CATHERINE ROSA-SIERRA PERTAINING TO REQUIREMENTS FOR LICENSURE

Ms. Duracinski provided a summary to the Board stating that the Board office received correspondence from Dr. Rosa-Sierra requesting that the Board provide clarification as to whether an internship program she is considering would meet the statutory requirement of A.R.S. §32-2071(F).

The Board deliberated and discussed concerns with the proposed internship such as possibly entering into a dual role as Dr. Rosa-Sierra is an employee of the organization. Board members briefly discussed APPIC vs. employment contracts. It was the consensus of the Board to refer Dr. Rosa-Sierra to the statute and to take no action on this item.

9) DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION REGARDING DETERMINATION OF JURISDICTION OF THE REFERRAL RECEIVED AGAINST DR. SHANNA RATZBURG

Ms. Chapman provided a summary to the Board stating that Arizona law (A.R.S. §32-241) relating to the Arizona Department of Corrections provides that an inmate must exhaust all internal department grievance procedures before filing a complaint the Board. Additionally, she stated that Dr. Ratzburg's legal counsel is arguing that a federal inmate imprisoned in a federal facility falls within the scope of A.R.S. §32-241.

The Board deliberated and determined that A.R.S. §32-241 does not apply to federal inmates. Mr. Robichaud made a motion, seconded by Dr. Wechsler, to maintain jurisdiction in this case. The motion carried 8-0.

10) DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION PERTAINING TO CONCERNS THAT DOCTORAL PROGRAMS ADEQUATELY ENSURE THAT INTERNSHIP SITES THAT ARE NOT APA APPROVED OR APPIC MEMBERS MEET LICENSURE REQUIREMENTS WHEN ARRANGING INTERNSHIP OPPORTUNITIES FOR STUDENTS ENROLLED IN THE DOCTORAL PROGRAM AND THE BOARD'S RESPONSE TO THE SAME

Dr. Olvey provided a summary to the Board stating that this item was on a previous Board agenda and it was the consensus of the Board to table the issue to a future meeting of the Board. Dr. Olvey indicated that the Board expressed concern that some internship programs are not providing appropriate supervision to interns which has resulted in some applicants being denied licensure or having to withdraw their applications for licensure.

Board members deliberated and expressed concern when Universities arrange internships for students and the internship fails to meet statutory requirement. Board members stated that supervisors should and may be held accountable for providing less than the required amount of supervision. Board members noted that students should be diligent in reviewing the internship requirements to ensure that their internship program will meet statutory requirements. Board members deliberated whether it should accept only APA or APPIC approved internships. Board members acknowledged that there is a shortage of internship programs and that there are other associations that offer internships. It was the consensus of the Board to continue this discussion during the afternoon portion of the meeting.

11) DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION REGARDING INITIAL CASE REVIEWS OF THE FOLLOWING INVESTIGATIONS

(a) RFI 13-22 Frances Robbins, Ph.D.

Dr. Mellott recused from this case. Dr. Beljan provided a summary to the Board stating that the Complainant, N.S., alleged that Dr. Robbins conducted a neuropsychological evaluation on Complainant's husband, W. S., and that there were multiple errors within the report, two copayments were charged and that Dr. Robbins violated HIPAA. Dr. Beljan summarized Dr. Robbins' response to the allegations stating that she acknowledged typos, grammatical errors, and substantive content errors in her initial report.

N.S. and W.S. were present telephonically, requested to speak, made statements, and answered Board members' questions. Board members asked Complainant whether Dr. Robbins obtained written or verbal consent to invite N.S. into W.S.'s session. Complainant, N.S., stated that Dr. Robbins verbally sought consent right before W.S.'s session and in the presence of W.S. Board members asked Complainant if visual tests were given. Complainant responded affirmatively.

Dr. Robbins and her legal counsel, Larry Cohen, were present, requested to speak, made statements, and answered Board members' questions. Mr. Cohen stated that as soon as Dr. Robbins was made aware of the mistakes in her report she took immediate action to remedy the situation. Mr. Cohen elaborated on the corrective action Dr. Robbins has engaged in such as continuing education, having her files audited by a respected neuropsychologist and having her reports reviewed before they are released. Mr. Cohen stated that Dr. Robbins did not bill inappropriately. Board members asked Dr. Robbins about her experience and credentials. Dr. Robbins answered. Board members questioned Dr. Robbins on the testing she utilized in this case. Dr. Robbins answered. Dr. Robbins acknowledged that, as a result of the errors in the report she released, the report fell below the current standard of care.

Board members deliberated and discussed Dr. Robbins' testing methods with W.S., and the nature of the errors in Dr. Robbins' report. The Board noted that the issues in this case were particularly concerning given that Dr. Robbins is a Diplomate in Neuropsychology. The Board also discussed the December 2013 audit of Dr. Robbins' records conducted by Daniel Blackwood, Ph.D., a neuropsychologist, at the request of Dr. Robbins' attorney. The Board acknowledged the remedial steps that Dr. Robbins has taken but expressed the need for additional assurance regarding consistent implementation of practices necessary to avoid the recurrence of similar problems, such as engaging in regular peer review with other neuropsychologists.

Following deliberation, Dr. Wechsler made a motion, seconded by Dr. DiBacco, to offer Dr. Robbins a Consent Agreement for violations of A.R.S. 32-2061(13)(h)(o). The Consent Agreement will include a Practice Monitor for a period of nine months to one year. The Board recognizes that Dr. Robbins has been working with neuropsychologist, Daniel Blackwood, Ph.D., on record related issues. The Board would accept Dr. Blackwood to serve as the Practice Monitor if he is willing. If Dr. Blackwood is unwilling or unable to serve as the Practice Monitor, another, similarly credentialed neuropsychologist can be negotiated. The motion carried 7-0-1 on a roll call vote with Dr. Mellott recused.

12) DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION RELATING TO THE POSSIBILITY OF INITIATING A COMPLAINT AGAINST R RUSS, PH.D. FOR ALLEGEDLY PROVIDING FALSE INFORMATION ON HIS APPLICATION FOR LICENSURE AS IT RELATES TO ALLEGED CRIMINAL HISTORY/CONVICTION AND FAILURE TO DISCLOSE OTHER NAMES BY WHICH HE HAS BEEN KNOWN

Ms. Chapman provided a summary to the Board stating that it has come to the attention of the Board office that Dr. Russ may have a criminal history that he did not disclose on his original application for licensure as well as not disclosing previous names that he has used. Ms. Chapman stated that this item is before the Board to determine whether the Board would like to open a Request for Investigation.

Dr. Russ and his legal counsel, Larry Cohen, were present. Mr. Cohen stated that no materials were submitted by Dr. Russ due to the matter being before the Board as to whether a Request for Investigation will be initiated. Dr. Russ indicated that he did not report prior criminal history due to the fact that it was expunged and he was advised by the Court in Washington that he would not have to make a report.

Board members deliberated stating that the application specifically asks whether an individual has been charged/convicted of a crime even if said crime has been expunged.

After deliberation, Dr. Wechsler made a motion, seconded by Dr. Beljan, to open a request for investigation for possible violations of A.R.S. §32-2061(A)(i)(j)(m). The motion carried 8-0 on a roll call vote.

**13) DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION REGARDING
COMMEMORATING 50 YEARS (1965 – 2015) SINCE ENACTMENT OF ENABLING
LEGISLATION REGULATING PSYCHOLOGY AS A PROFESSION**

Dr. Bohanske provided a summary of the April 23, 2014, 50th Year Commemorative Committee meeting and its recommendations:

- Hold a Board meeting in Flagstaff and Tucson in 2015,
- Sponsor a booth at the 2015 AzPA convention wherein the Board will make a presentation on the history of psychology, including a list of former Board members and Board Chairs,
- ASPPB will hold its 2015 annual meeting, October 7-11, in Arizona, and
- Dr. Bohanske stated that Commemorative Certificates are being researched.

Dr. Bohanske made a motion, seconded by Mr. Robichaud, to accept the Committee's recommendations. The motion carried 8-0.

**14) DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION REGARDING
CORRESPONDENCE RECEIVED FROM APPLICANT, SUSAN STIVERS, PSY.D.,
REQUESTING THE BOARD REVIEW AND APPROVE AN ETHICS COURSE**

Ms. Duracinski provided a summary to the Board stating that the Board office has received correspondence from Dr. Stivers requesting that the Board review and possibly approve an ethics course that she is considering. Ms. Duracinski elaborated stating that Dr. Stivers indicated that she is not able to find a program that will allow her to enroll in a doctoral level ethics course as she is not enrolled as a student in any program.

Ms. Stivers was present telephonically to answer Board member questions. Board members deliberated and stated that the statute (A.R.S. §32-2071(A)(4)) states, "A core program that requires each student to demonstrate competence by passing suitable comprehensive examinations or by successfully completing at least three or more *graduate* semester hours, five or more quarter hours or six or more trimester hours or by other suitable means in the following content areas" [*emphasis added*]. It was the consensus of the Board to refer Dr. Stiver's to the statute and to take no action on this item.

**15) DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION RELATING TO DEVELOPMENT
OF DRAFT RULES**

Dr. Mellott provided a summary of the April 25, 2014, Rules Committee meeting stating that revisions the Committee is considering include but are not limited to:

- Definition for applied psychology
- Name/address change timeframes
- Application deadline/timeframes
- Definition of supervisor
- Definition of last date of service
- Continuing education

Dr. Mellott explained that a pilot survey is being drafted for internship training directors asking for each director to provide a definition or their implementation of “on staff”. Additionally, Dr. Mellott stated that the Rules Committee will meet again and bring its recommendations to the August 2014 in-person Board meeting.

16) DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION RELATING TO THE REAPPLICATION PROCESS RESULTING FROM FAILURE OF THE EPPP

Dr. Beljan provided a summary stating that the reapplication process may be more cumbersome than necessary and has asked the Board whether submitting a reapplication is necessary for an applicant who was unsuccessful in passing the EPPP. Board staff clarified that the only documents required for a reapplication is an abbreviated reapplication form, a self-query and references if the previous references are more than six months old. Ms. Galvin clarified that the Arizona Statement of Citizenship or Alien Status for State Public Benefits is not necessary for a reapplication since it is required as part of the initial application. It was the consensus of the Board to take no action on this item.

17) DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION RELATING TO UPDATE OF MIDYEAR MEETING FOR THE ASSOCIATION OF STATE AND PROVINCIAL PSYCHOLOGY BOARDS (ASPPB)

Dr. Bohanske stated that ASPPB is developing a competency based exam. Dr. Bohanske elaborated stating that the EPPP would consist of three different tests, one of which would measure competency. Dr. Wechsler and Dr. DiBacco elaborated on state exams and specialty areas. Dr. Olvey stated that ASPPB is contemplating a recommendation that would allow students to take the EPPP prior to completing internship.

18) DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION REGARDING CALL FOR NOMINATIONS FROM THE ASSOCIATION OF STATE AND PROVINCIAL PSYCHOLOGY BOARDS (ASPPB) FOR THE ASPPB BOARD OF DIRECTORS AS WELL AS VARIOUS ASPPB AWARDS

Dr. Olvey provided a summary to the Board stating that every year ASPPB issues a call for nominations for the Association of State and Provincial Psychology Board (ASPPB) Board of Directors as well as various ASPPB awards. Nominations are due on May 5, 2014. It was the consensus of the Board to make no nominations for 2014 but to review possible nominations in 2015 as ASPPB will hold its annual meeting in Arizona.

19) DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION RELATING TO LEGISLATIVE UPDATE

Stuart Goodman and Brandy Petrone from Goodman Schwartz Public Affairs were present. Mr. Goodman stated that HB 2172 & HB 2173 were signed by the Governor. The Board concluded discussion of the 2014 legislative session.

20) DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION REGARDING APPLICATIONS FOR LICENSURE IN WHICH MORE THAN 40 HOURS OF SUPERVISED EXPERIENCE PER WEEK ARE REPORTED

Dr. Wechsler provided a summary to the Board expressing his concern regarding appropriate supervision if an intern is reported as working more than 40 hours per week how does the Board confirm that the intern is receiving the appropriate amount of supervision for the hours that are in excess of 40. Board members recognized that applicants who are in the military often report working more than 40 hours per week. Board members expressed concern regarding interns possibly being exploited.

21) DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION REGARDING INITIAL CASE REVIEWS OF THE FOLLOWING INVESTIGATIONS

(b) RFI T-14-02 Tiffany Williams-Jones, LCSW, Ph.D.

Dr. Wechsler provided a summary to the Board stating that the Board initiated this complaint due to information that was received that Dr. Williams-Jones indicates on her website that she is an educational psychologist. Dr. Wechsler stated that Cease and Desist letters were sent to Dr. Williams – Jones. Additionally, Dr. Wechsler stated that Dr. Williams – Jones did modify her website. Dr. Wechsler explained that Dr. Williams – Jones’ website previously indicated that she practices Educational Psychology but has now been modified to state that she holds a Ph.D. in educational psychology.

Dr. Williams - Jones and her legal counsel, Susan McLellan, were present, requested to speak, made statements, and answered Board members’ questions. Ms. McLellan stated that Dr. Williams – Jones did not attend the Complaint Screening Committee meeting as she did not receive notice of the meeting. Ms. McLellan elaborated that Dr. Williams – Jones has modified her website and she understands that she cannot practice psychology or indicate that she is a psychologist unless she obtains licensure as a psychologist in Arizona. Ms. McLellan stated that Dr. Williams – Jones is licensed with the Board of Behavioral Health Examiners therefore pursuant to A.R.S. §32-3251 she can use the root word “psycho”. Board members asked Dr. Williams – Jones what types of evaluations she conducts. Dr. Williams – Jones responded that she neither conducts evaluations nor does any testing. Dr. Williams – Jones elaborated on her scope of work as a Licensed Clinical Social Worker.

Board members deliberated and determined that Dr. Williams – Jones has made the requested modifications to her website. The Board suggested that Dr. Williams – Jones make additional efforts to contact Health Grades and other websites and request that the term psychologist be removed as one of her credentials. Additionally, the Board suggested that Dr. Williams – Jones include in her informed consent form that she is not a licensed psychologist.

Following deliberation, the Board directed Board staff to periodically monitor Dr. Williams – Jones’ website. It was the consensus of the Board to take no action in this matter.

22) DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION PERTAINING TO CONCERNS THAT DOCTORAL PROGRAMS ADEQUATELY ENSURE THAT INTERNSHIP SITES THAT ARE NOT APA APPROVED OR APPIC MEMBERS MEET LICENSURE REQUIREMENTS WHEN ARRANGING INTERNSHIP OPPORTUNITIES FOR STUDENTS ENROLLED IN THE DOCTORAL PROGRAM AND THE BOARD’S RESPONSE TO THE SAME (continued)

Board members continued their discussion on internships that are neither APA approved nor APPIC members. During deliberations, some Board members expressed concern that accepting only APA

approved or APPIC member internships may create a monopoly on internship programs which in turn may lead to an even greater shortage of internship programs. Some Board members indicated that all Directors of Training for internship programs should be licensed as psychologists. Board members advised that students should be diligent in choosing an internship program. Board members expressed concern that some of the internship programs that have not met statutory requirement have been formed by reputable Arizona licensed psychologists.

23) NEW AGENDA ITEMS FOR FUTURE MEETINGS

There were no new items for future meetings.

24) ADJOURN

There being no further business to come before the Board, a motion was made by Mr. Robichaud, seconded by Dr. Wechsler, to adjourn the meeting at 3:59 p.m. on May 2, 2014. The motion carried 8-0.

Respectfully submitted,

**Joseph C. Donaldson
Board Secretary**